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# The Ripple Effect

## *And our nation's secrets.*

Benjamin Bradlee's thoughtful piece last Sunday on the perpetual tension between the government's efforts to keep its secrets and the journalist's urge—even duty—to publish reveals the real problem inherent in this process.

Bradlee describes how Bob Woodward whispered to him what he had learned. Bradlee then says how publisher Donald Graham, managing editor Leonard Downie, "only four editors" and Post Co. Chairman Katharine Graham deliberated over what they thought was "truly national security information." This is illustrative of the ripple-like quality of any interesting story among the cognoscenti of Washington. It gradually spreads outward until what starts as a core secret becomes known to a large number.

On a previous occasion, a similar item of important national security information was protected by The Washington Post and a number of other journals, but the ripple spread so far in the Washington press community that my best efforts to convince those who had learned of it not to publish came to naught. My urgings that I was not concerned how many Americans knew the information if I could only keep it from the Soviets was met by a journalist's statement that the item had spread too far and that therefore he would—and did—release it.

A complication of the issue arises when a project, such as in the Pelton case, has been secretly reported to the Soviets, so the case is made that it cannot be suppressed to keep it from them. There are, however, still reasons for refraining from publishing. First, we do not necessarily know exactly what the Soviets learned. Publication of what a vigorous investigative reporter in Washington learns could be of great value in

increasing the Soviets' knowledge and confirming some of the information they may have.

Publication of an innovative intelligence effort can also alert others than the particular Soviet target and cause them to examine their own situations to see if the effort is repeated against them. We have also seen many occasions in which a scoop by one newsman in Washington is followed by immediate revelation of additional details by members of the sophisticated and efficient Washington press corps, all of which can be to the benefit of a potential intelligence target.

The argument is sometimes made that items in the report have been previously mentioned in the public record in various places and that, therefore, no harm can be done by publishing them. This ignores the effectiveness of good researchers in journalism and in intelligence, who can put together a report that is greater than the sum of its parts.

Of course, it is true that governments are inclined to overdo the cry of national security in their efforts to maintain control over sensitive information. This phrase is ambiguous in any case as it tries to subsume different levels of potential injury to the nation. Indeed, some would say that the national security would not be affected if the capital were destroyed so long as the structure of constitutional government remained. At the same time, the publication of some items can do no positive good and has a cost in our foreign relations. In international as in personal relationships, it is often considered bad form to talk openly about some activities that may be well known but are not talked about.

Thus, we hope the press will, as The

Washington Post apparently did, use the kind of careful calibration that the government uses in cases of release of national security information. In the Pelton trial, the government decision was made that the importance of prosecuting Pelton justified a release of general references to intelligence activity without specific identification. The press calibration of this line may not agree with the government's, as we have seen that some press stories went beyond the "Project A" approach adopted by the government.

Perhaps a set of standards could be generated for this calibration, to include whether the government is doing what is quite properly within its charter or whether some error or abuse is involved, whether it is acting under due authority and with appropriate congressional oversight or whether it seems to be acting improperly or in contradiction to Congress' understanding, and whether the arguments for restraint seem to have justification in avoiding adverse foreign reaction.

Beyond the press's calibration lies the ultimate sanction of the law. The press is not immune from the law of libel or of national security. Prior restraint of press publication can be justified only in the most extreme case, as articulated by the Supreme Court. However, Congress has given special protection against disclosure or publication of certain narrowly limited categories of information and provided for punishment in case of violation.

The very narrowness of the categories so protected ensures against an undue limitation on the workings of the American press in our free society. Prosecutorial judgment and the jury system further ensure against punishment for proper publication.

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